

REMARKS

Applicants wish to thank the Examiner for pointing out the objectionable language in the specification and the lack of antecedent in claims 16, 17 and 74. By the present Amendment, Applicants have amended the Abstract as well as claims 16, 17, and 74 in order to provide proper antecedent basis for all claim language. Applicants respectfully submit that the Abstract and the claims are now in compliance with the M.P.E.P. and 35 U.S.C. §112, respectively.

All pending claims, namely, claims 1 to 48 and 51 to 82 were initially rejected as being anticipated and/or rendered obvious over the U.S. Patent Application Publication to Saravis either alone or in combination with the '355 patent to Fortune or the '953 patent to Rabinovitz.

Applicants' claims are directed to moving cart assemblies which are particularly suited for moving the contents of a typical business office, for example, large amounts of books, papers, as well as delicate and expensive office equipment such as computer monitors, CPUs, printers, scanners, etc. Applicants' moving assemblies comprise heavy duty moveable supports, most preferably casters, each having a load bearing capacity of at least about 75 pounds. The claimed moving assemblies further comprise a plurality of integrally formed frames comprising two substantially vertical sides, a back section and a horizontal support, which are most preferably injection molded. In order to protect the contents during moving, while also preferably allowing access to the contents during a move, Applicants' claimed cart

assembly comprises means for enclosing the interior of each of the modules to form a plurality of enclosures. Applicants' claimed moving cart assemblies are durable and are neither taught nor suggested by any of the cited references.

Saravis teaches a module storage rack formed of a plurality of snap-fit discrete side panels. Each embodiment disclosed by Saravis comprises a wall which can be snapped-out of the slot. The teaching of Saravis has no applicability to industrial strength moving carts. As noted in Saravis, "The present invention overcomes such limitations by creating a snap-in latch and catch panel attachment which may also be useful **in construction and modeling toys**" (column 1, section 0007). Saravis teaches that in his system "a catch is elongated and semi-rigid, having adequate elasticity, memory and lubricity to deform and snap-back into place upon insertion or removal of the corresponding elongated latch." (column 1, section 0008). There is no teaching or suggestion in Saravis to provide integrally formed frame sections nor to provide a plurality of movable supports having a load bearing capacity of at least about 75 pounds each.

The '355 patent to Fortune is directed to a modular storage system and has no applicability to moving cart assemblies. Fortune discloses a storage system adapted to be mounted to a wall (see column 3, lines 54 to 58 and FIG. 4) or a workbench (see column 5, lines 21 to 23). The teaching of Fortune is directly opposite to Applicants' claimed moving cart assemblies and it not properly combinable with any other reference that does teach or suggest a moving cart. To do so would

violate the proscription against taking pieces of references and applying hindsight to put those pieces together to arrive at Applicants' claimed invention. The Federal Circuit has stated Sensonics, Inc. v. Aerosonic Corp., 38 U.S.P.Q. 2d, 1551, 1554 (Fed. Cir. 1996) "To draw on hindsight knowledge of the patented invention, when the prior art does not contain or suggest that knowledge, is to use the invention as a template for its own reconstruction - an illogical and inappropriate process by which to determine patentability.

Lastly, the '953 reference to Rabinovitz teaches an interlocking system for computer peripherals and other desktop enclosures but has nothing to do with moving cart assemblies. It should be noted that Applicants' claimed retractable hitches are for connecting two, otherwise independently moveable carts. The Examiner's attention is respectfully directed to Applicants' FIG. 31 which illustrates a retractable hitch on one cart which allows a plurality of carts to be connected to facilitate the movement of a plurality of carts and eliminate the need for one person moving one cart at a time. There is no teaching or suggestion in any of the cited references of means for selectively connecting a plurality of carts, such as a retractable hitch.

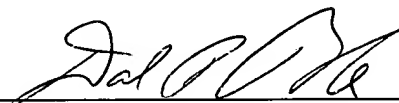
CONCLUSION

Applicants respectfully submit that all pending claims as amended, are now in condition for allowance. If the Examiner has any questions or comments which

may expedite the prosecution of this application, the Examiner is respectfully requested to contact Applicant's attorney at the telephone number set forth below.

Dated: June 17, 2003

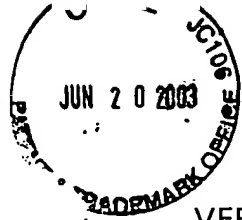
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Daniel P. Burke', is written over a horizontal line.

Daniel P. Burke, (30,735)
GALGANO & BURKE
Attorneys for Applicant
300 Rabro Drive, Suite 135
Hauppauge, NY 11788
(631) 582-6161

Enclosure: Postcard receipt

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VERSION WITH MARKINGS TO SHOW CHANGES MADE:

IN THE CLAIMS

Please amend the following claims:

1. A moving cart assembly comprising:

a plurality of interlocking, vertically stackable storage modules forming a moving cart, each of said modules comprising:

[a] an integrally formed frame comprising two substantially vertical sides, a back section and a horizontal support; and

means for enclosing the interior of each of said modules to form a plurality of enclosures; and

[wheels] moveable supports to facilitate movement of said cart assembly[.] , each of said moveable supports having a load bearing capacity of at least about 75 pounds.

16. A moving cart assembly according to claim 13 [comprising] wherein at least one of said support ribs is located on at least one external, vertical surface of said frame.

17. A moving cart assembly according to claim 16 [comprising] wherein at least one of said support ribs is located on at least one internal, vertical surface of said frame.

74. A moving cart assembly according to claim 1 comprising means for selectively locking said [compartments] enclosures.

Please rewrite the following claim:

52. A moving cart assembly comprising:

a base;

a plurality of moveable supports capable of supporting at least about 75 pounds each attached to said base; [enclosed storage compartments and wheels to facilitate movement of said cart assembly.]

a plurality of interlocking, vertically stackable storage modules forming a moving cart, each of said modules comprising:

[a] an integrally formed frame comprising two substantially vertical sides, a back section and a horizontal support; and

means for enclosing the interior of each of said modules to form a plurality of [enclosures] compartments;

IN THE SPECIFICATIONS

Please rewrite the Abstract as follows:

[The various aspects of the present invention are directed to moving carts and moving cart assemblies.] This disclosure describes moving carts and moving cart assemblies. One embodiment comprises a moving cart assembly with a plurality of interlocking, vertically stackable, storage modules. The modules of this embodiment comprise a frame, preferably having at least four sides, e.g., a top, a back, a right side

and a left side. Each module also comprises something to enclose the interior space, such as a pair of doors or a drawer which is selectively slidable into the frame. The needs of a particular office can be readily accommodated by using greater or fewer numbers of drawer modules and/or cabinet-type modules.